

HOUSE BILL 2113

By Hawk

AN ACT to amend Tennessee Code Annotated, Title 10,
Chapter 7, relative to the confidentiality of
individually identifiable health information.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 10-7-504(a)(1), is amended by
deleting the subdivision in its entirety and substituting the following:

(a)

(1)

(A) The medical records of patients in state, county, and
municipal hospitals and medical facilities, and the medical records of
persons receiving medical treatment, in whole or in part, at the expense
of the state, county, or municipality, shall be treated as confidential and
shall not be open for inspection by members of the public. Any records
containing the source of body parts for transplantation or any information
concerning persons donating body parts for transplantation shall be
treated as confidential and shall not be open for inspection by members
of the public. Individually identifiable health information collected,
created, or prepared by the department of health shall be treated as
confidential and shall not be open for inspection by members of the
public; provided, however, that the department may disclose such
information as authorized or required by law.

(B) As used in this subdivision (a)(1), "individually identifiable
health information" means information related to the physical or mental

health of an individual and that explicitly or by implication identifies the individual who is the subject of the information, including by name, address, birth date, death date, admission or discharge date, telephone number, facsimile number, electronic mail address, social security number, medical record number, health plan beneficiary number, account number, certificate or license number, biometric identifier, or any other identifying number, characteristic, or code.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.